

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION BOARD

IN THE MATTER OF:

PGS, LLC t/a Sauf Haus Roll Call Hearing
1216 18th Street, N.W.
License #ABRA-086803
Retailer CT
License Renewal
Case #14-PRO-00070

Monday,
September 29, 2014

ABRA Hearing Room, 400 South
Reeves Municipal Center
2000 14th Street, N.W.
Washington, D.C. 20009

The above-entitled matter convened at
10:48 a.m., before the District of Columbia Alcoholic
Beverage Regulation Administration Board.

BEFORE:

LA VERNE FLETCHER, Board Mediator

P R O C E E D I N G S

(10:48 a.m.)

MS. FLETCHER: Would the parties in the matter of Sauf House please come forward. The parties in the matter of Sauf House. This is Case No. 14-PRO-00070, PGS, LLC trading as Sauf Haus, 1216 18th Street, N.W., License No. ABRA-086803.

This is a Retailer CT license renewal.

The protest issues are adverse impact on peace, order, and quiet.

My name is La Verne Fletcher and I am conducting the roll call hearing as the Board's agent, pursuant to D.C. Official Code 1601.2.

Introductions, beginning with the Applicant, please.

MR. MOLLOY: Brian Molloy, of the firm of Mallios & O'Brien, representing the Applicant.

MR. VILLEGAS: Edwin Villegas, representing PGS.

MS. FLETCHER: Okay. Can you state your name one more time and spell it for the record.

MR. VILLEGAS: Edwin V-i-l-l-e-g-a-s.

1 MS. FLETCHER: I'm sorry. What's the first
2 name again?

3 MR. VILLEGAS: Edwin. E-d-w-i-n.

4 MS. FLETCHER: And the last name one more
5 time.

6 MR. VILLEGAS: V-i-l-l-e-g-a-s.

7 MS. FLETCHER: Thank you. Present on
8 behalf of the Protestants?

9 MS. KAPPEL: Anne Kappel, Vice President,
10 Jefferson Row Condominium Association.

11 MS. FLETCHER: Could you spell your last
12 name.

13 MS. KAPPEL: Yes, sorry, it's A-n-n-e K-a-
14 p-p-e-l.

15 MS. FLETCHER: Thank you very much. ANC?

16 MR. NELSON: Carl Nelson, N-e-l-s-o-n,
17 representing the Palladium Condominium as part of this
18 group.

19 MS. FLETCHER: Okay. Thank you.

20 And Mr. Nelson and Ms. Kappel, you're the
21 designated representatives for the group?

22 MS. KAPPEL: Correct.

1 MR. NELSON: Yes.

2 MS. KAPPEL: Correct.

3 MS. FLETCHER: Thank you. Anyone else from
4 your group present today?

5 MS. KAPPEL: We have two. We thought we
6 would have three. But we do have three here.

7 MS. FLETCHER: Okay. If you would just come
8 forward behind Ms. Kappel and spell it for the record.

9 MR. MCMAHON: Thomas McMahon. M-c-M-a-h-o-
10 n.

11 MR. VALENTINE: And Kendall Valentine. K-e-
12 n-d-a-l-l. V, like in Victor, a-l-e-n-t-i-n-e.

13 MS. FLETCHER: Thank you, Mr. Valentine.

14 MR. VALENTINE: You're welcome.

15 MS. FLETCHER: So the Group of 4 is well,
16 actually the entire group is granted standing because
17 Ms. Kappel and Mr. Nelson, you were designated as
18 representatives at the beginning for the entire group.

19 MS. KAPPEL: Thank you.

20 MS. FLETCHER: For the purpose of the roll
21 call hearing, the group is granted conditional
22 standing because one more person needs to appear

1 MR. NELSON: We understand.

2 MS. KAPPEL: Yes.

3 MS. FLETCHER: I know. I just have to state
4 it for the record. Mr. Nelson, I know that you're
5 aware. But just for the record, I just have to state
6 that the group is granted conditional standing, and
7 one more person would need to appear for the status
8 hearing, in order to be granted full standing.

9 MS. KAPPEL: Thank you.

10 MS. FLETCHER: So we need to set a date for
11 a status hearing, a protest hearing, and a mediation.

12 The date for the status hearing is October
13 22nd.

14 MR. NELSON: Objection.

15 MS. FLETCHER: Yes?

16 MR. NELSON: I will not be available from
17 October 16th through November 4th.

18 MS. FLETCHER: So what we would ask you to
19 do, Mr. Nelson, for the purpose of the status hearing,
20 if Ms. Kappel could just well, you know what happens
21 at the status hearing, Mr. Nelson. If she could
22 represent the whole group on that day, for the status

1 hearing, since you're both designated representatives.

2 MS. KAPPEL: That's fine.

3 MS. FLETCHER: Will that work since you're
4 both

5 MS. KAPPEL: And we're just going to
6 provide you a status update if we have it.

7 MS. FLETCHER: That's right. Okay.

8 MR. NELSON: She's allowed to provide a
9 substitute in case she can't make it. Is that correct?

10 MS. FLETCHER: Yes. Yes.

11 MR. NELSON: Thank you.

12 MS. FLETCHER: Ms. Kappel, if you can't
13 make it, you may designate someone else to appear on
14 your behalf.

15 MS. KAPPEL: Yes. 22nd should work.

16 And that's I'm sorry 9:00, 9:30?

17 MS. FLETCHER: That's October 22nd, at
18 9:30,

19 for the status hearing.

20 MS. KAPPEL: Yes.

21 MR. MOLLOY: That's fine. If Edwin can't
22 make the status hearing, does he just need to

1 designate someone else in writing? Or is the fact that
2 we're there

3 MS. FLETCHER: If you're there, Mr. Molloy,
4 or your firm, that's fine.

5 MR. MOLLOY: Okay.

6 MS. FLETCHER: October 22nd at 9:30.

7 The protest hearing is set for December
8 the 3rd. December 3, at 1:30.

9 MR. NELSON: Guaranteed to start on time?

10 MS. FLETCHER: Good question; yes. And I
11 don't know. Hopefully, there won't be one. The ideal
12 situation is that the matter's resolved in mediation,
13 if possible. If not, we'll see.

14 The mediation needs to occur, ideally,
15 before the status hearing, and Mr. Nelson, you'll be
16 out of town October 16 through November the what?

17 MR. NELSON: Fourth.

18 MS. FLETCHER: Through November the 4th.
19 Through November the 4th. So is Ms. Kappel going to
20 represent the group during mediation as well, or you
21 all can decide what you want to do.

22 If you you could have

1 MS. KAPPEL: My suggestion was going to be
2 to try to push the formal mediation as close to the
3 status hearing as possible, since we have already
4 begun a dialogue with Mr. Villegas.

5 MS. FLETCHER: Okay.

6 MS. KAPPEL: But I don't know, Carl, if you
7 want to try to set the mediation date before you go
8 out of town, in the event that we

9 MR. NELSON: Is it avail

10 MS. KAPPEL: Can we do something

11 MR. NELSON: I'm available up through the
12 15th.

13 MS. FLETCHER: You're available up through
14 the 15th. So then I'll give you some - I'll give you
15 some dates before the 15th.

16 MR. MOLLOY: If you suggest something, I
17 told him I'll see.

18 MS. FLETCHER: Okay. Well, in that case,
19 what about Tuesday, October 7? Is that good for
20 anybody? Tuesday, October 7?

21 MR. NELSON: Yes.

22 MS. FLETCHER: That good for you, Mr.

1 Nelson?
2 MR. NELSON: I'm available.
3 MS. FLETCHER: Mr. Molloy?
4 MR. MOLLOY: We prefer the afternoon, but
5 yes.
6 MS. FLETCHER: Afternoon? Are you available
7 at 2:00?
8 MR. MOLLOY: Yes.
9 MS. FLETCHER: Mr. Nelson, Ms. Kappel?
10 MR. NELSON: Yes.
11 MS. FLETCHER: 2:00 o'clock is good?
12 MS. KAPPEL: Yes.
13 MR. NELSON: What is it? October?
14 MS. FLETCHER: October 7. That's Tuesday,
15 October 7.
16 MS. KAPPEL: 2:00 p.m.?
17 MS. FLETCHER: At 2:00. Yes.
18 MR. NELSON: I know that'll start on time.
19 MS. FLETCHER: Yes it will.
20 MS. KAPPEL: So a week from tomorrow.
21 MS. FLETCHER: A week from tomorrow.
22 So then, mediation is set for Tuesday,

1 October 7, at 2:00.

2 Any questions about that?

3 (No response)

4 MS. FLETCHER: Okay. Thanks for coming. The
5 roll call hearing is concluded.

6 (Whereupon, at 10:55 a.m., the roll call
7 hearing was concluded)

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